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LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER
LE, MIRANDA

ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 February 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 14-49* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

1.   This communication is responsive to Amendment filed 06/06/2005.

2.   Claims 1-12, 14-49 are pending in this application. Claims 1, 9, 17, 19, 21, 27, 34, 38

are independent claims. In the Amendment, claims 8, 26, 27, 33, 45 have been amended, claim

13 has been cancelled, and claims 46-49 have been added. This action is made Final.

        The objection to the specification (claim objection) of the invention has been withdrawn

in view of the amendment.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

        A person shall be entitled to a patent unless:

        (e) the invention was described in

        (1) an application for patent, published under section 122(b), by another filed in the
        United States before the invention by the applicant for patent or

        (2) a patent granted on an application for patent by another filed in the United States
        before the invention by the applicant for patent, except that an international application
        filed under the treaty defined in section 351(a) shall have the effects for purposes of this
        subsection of an application filed in the United States only if the international application
        designated the United States and was published under Article 21(2) of such treaty in the
        English language.

4.   Claims 1-12, 14-31, 33-42, 44-45 are rejected under 35 U.S.C. 102(e) as being

anticipated by Chasen et al. (US Patent No. 6,760,721).

        Chasen anticipated independent claims 1, 9, 17, 19, 21, 34, 38, by the following:

As to claims 1, 8, Chasen teaches maintaining meta data associated with a plurality of pieces of content stored on a plurality of pieces of media (i.e. content data is stored on a CD, col. 17, lines 16-17, col. 16, line 59 to col. 17, line 53, col. 3, lines 43-58, col. 9, lines 30-42, col. 13, line 46 to col. 14, line 64, col. 8, line 54 to col. 9, line 6, Fig. 1);

maintaining meta data associated with another plurality of pieces of content (i.e. content data is stored on a CD, col. 17, lines 16-17), wherein each of the other plurality of pieces of content is a ripped version (i.e. Mp3 file or encoded data file, col. 17, line 20) of a respective one of the plurality of pieces of content in the corresponding one of the plurality of pieces of content (col. 3, line 43 to col. 4, line 8, col. 9, lines 30-51, col. 8, line 54 to col. 9, line 6, col. 13, line 46 to col. 14, line 64, col. 16, line 59 to col. 17, line 47;

altering the meta data (i.e. information on a remote Database, col. 17, line 28) associated with one of the other plurality of pieces of content (i.e. MP3 file or encoded data file at col. 17 line 20) in response to the meta data associated with the corresponding one of the plurality of pieces of content being altered (i.e. content data is stored on a CD-ROM, col. 17, lines 16-17, note that an MP3 file format is different from the audio track format on a CD which can only plays on a standard CD player, col. 13, line 46 to col. 14, line 64, col. 15, lines 8-29, col. 1, lines 32-62, col. 16, line 59 to col. 17, line 53).

As per claim 9, Chasen teaches receiving an identification of a change to be made to meta data corresponding to a particular piece of content on a particular piece of media (i.e. track may be updated to Pop and the Artist value may be updated to B, col. 17, lines 24-29, col. 14, line 65 to col. 15, line 58, col. 4, lines 52-64).

changing, based on the identification, meta data corresponding to the particular piece of

content (i.e. the data change process 216 updates the data collection or metadata Database 232

and the tree information database 234, col. 15, lines 30-67, col. 4, line 65 to col. 5, line 17, col.

14, line 65 to col. 15, line 67, col. 16, lines 1-39);

identifying one or more other pieces of content associated with the particular piece of

content (i.e. all the leaf nodes represent the audio track records, or ripped version, the copied

audio track from the CD, col. 15, lines 44-45), wherein the other pieces of content are ripped

versions (MP3 file, col. 17, line 19) of the particular piece of content (i.e. all the leaf nodes that

represent the audio track records, col. 15, lines 17-19, col. 12, lines 25-26, col. 5, lines 7-17, col.

13, lines 4-62, col. 14, lines 13-47, col. 14, line 65 to col. 15, line 67, col. 16, limes 1-39);

changing, based on the identification, meta data corresponding to the one or more other

pieces of content (i.e. all the leaf nodes were changed, col. 15, lines 44-47, col. 4, line 65 to col.

5, line 17, col. 13, lines 46-62, col. 14, line 13 to col. 15, line 67, col. 16, lines 1-39, col. 17, line

58 to col. 18, line 53).

As per claim 17, Chasen teaches a disc drive (CD ROM) configured to have a removable

disc inserted therein, wherein the removable disc includes a plurality of pieces of content (i.e.

audio track on CD, col. 16, lines 64-67, col. 16, lines 64, col. 16, line 59 to col. 17, line 47);

a local storage device (Database 232 may include the audio files, col. 9, lines 44-46)

configured to store another plurality of pieces of content (audio files, col. 9, lines 44-46),

wherein each of the other plurality of pieces of content corresponds to one of the plurality of

pieces of content and is a copied version (i.e. MP3 file, col. 17, line 19, noted that an MP3 file is

a copied version of an audio file (track on a CD) because they have different formats) of the data

in the corresponding one of the plurality of pieces of content (col. 16, line 59 to col. 17, line 67,

col. 3, line 43 to col. 4, line 8;

a meta data management module, configured to alter meta data associated with one of

the other plurality of pieces of content in response to meta data associated with the

corresponding one of the plurality of pieces of content being altered (i.e. one user may create

grouping for the Genes Rock and Jazz, while another user may create grouping for Artists Styx

and Abba, col. 4, lines 38-64, col. 16, line 41 to col. 17, line 67, col. 1, lines 32-62, col. 4, lines

38-64).

As per claim 19, Chasen teaches receiving an identification of a plurality of tracks on a

disc (i.e. group of tracks, col. 16, line 64, col. 9, line 53 to col. 10, line 19, col. 2, lines 35-54;

obtaining table of contents information from the disc (Fig. 1 discloses a Table of contents

information, col. 8, line 44 to col. 9, line 13, col. 9, line 53 to col. 10, line 19;

generating a disc identifier based at least in part on the table of contents information (i.e.

CDplayer.ini file at col. 17, line 6, col. 8, line 54 to col. 9, line 13, col. 2, lines 35-54);

accessing a local meta data store (i.e. local database, col. 17, line 5) to identify meta data

corresponding to the tracks copied on another disc (col. 8, line 54 to col. 9, line 13, col. 16, line

59 to col. 17, line 67, col. 4, lines 20-27;

generating a new storage structure, corresponding to the disc, and including the identified

meta data (i.e. add node location process, col. 13, line 44-62, col. 8, line 54 to col. 9, line 13, col.

4, lines 20-27.

As to claims 21, 26, Chasen teaches receiving a notification of a new piece of media (i.e. the step of placing CD in the CD-ROM drive, col. 16, line 64), wherein the new piece of media includes a plurality of pieces of content that are selected by a user for inclusion on the new piece of media(i.e. user selects a group of tracks), and wherein the user selection is based on one or more other pieces of content associated with one or more other pieces of media (note the selection is based on the missing information of a copied version storing in database 232, col. 16, line 41-47), and wherein further the one or more other pieces of content (i.e. an audio file or MP3 file in the Database 232) include copied versions of the plurality of pieces of content (col. 16, line 59 to col. 17, line 47, col. 6, lines 7-63);

generating a media identifier corresponding to the new piece of media (i.e. CDPlayer.ini, col.17, line 6, col. 16, line 59 to col. 17, line 47, col. 2, lines 34-44;

identifying, from a meta data store, meta data corresponding to the plurality of pieces of content and associated with the one or more other pieces of content (i.e. whether the information is located in a local database, col. 17, lines 4-5, col. 16, line 59 to col. 17, line 47, col. 2, lines 34-44);

saving, as meta data corresponding to the new piece of media, the identified meta data (i.e. add metadata process 218, col. 17, lines 21-22, col. 16, line 59 to col. 17, line 47, col. 4, lines 52-64).

As to claims 27, 33, Chasen teaches maintaining a set of disc identifiers (col. 16, line 59 to col. 17, line 47, col. 3, lines 7-40);

for each disc identifier, maintaining a set of corresponding children objects (leaf nodes),

wherein each of the children objects corresponds to a track on the disc associated to with the disc

identifier (i.e. CDPlayer.ini, col. 17, line 6, col. 13, line 46 to col. 14, line 64, col. 11, line 1 to

col. 12, line 65);

for each of one or more of the individual children objects (i.e. the leaf nodes represent

the audio track records, col. 12, lines 25-65), maintaining a set of additional objects (i.e. XXX, B

node, see Fig in col. 12), wherein each additional object corresponds to a file corresponds to a

file associated with the track (i.e. the child object corresponds to the root node or group name,

col. 12, lines 20) corresponding to the child object (col. 16, line 59 to col. 17, line 47, col. 13,

line 46 to col. 14, line 64, col. 11, line 1 to col. 12, line 65);

associating, for each of the one or more individual children objects, the set of additional

objects with the child object, wherein the set of additional objects correspond respectively to a

copy of the associated track (i.e. Bird node is associated with A or YYY nodes, wherein, Bird

node is a track, A and YYY nodes are additional objects, see figure in col. 13 and 14, col. 16,

line 59 to col. 17, line 47, col. 11, line 1 to col. 12, line 65.

As per claim 34, Chasen teaches a set of entries identifying objects (i.e. Genre/artist,

Genre/Artist/Album, see figure in col. 13 and 14, col. 16, line 59 to col. 17, line 47, col. 11, line

1 to col. 12, line 65);

another set of entries (A, A, C, Funk, Pop, Rock, see tree in col. 13-14) identifying

relationships between selected ones of the objects identified in the set with selected others of the

objects, wherein the selected others of the objects are copies of corresponding ones of the objects

(i.e. Another setoff entries correspond to A, B, C Funk, Pop, Rock nodes, see figure in col. 13).

It should be noted the B object (belonging to Artist tree) is a copied of B object (belongs to the

Gene/Artist Tree), col. 16, line 59 to col. 17, line 47, col. 13, line 46 to col. 14, line 64, col. 11,

line 1 to col. 12, line 65);

an additional set of entries (i.e. set of XXX, YYY, ZZZ nodes, see figure in col. 13 and

col. 14) identifying meta data associated with individual objects (col. 16, line 59 to col. 17, line

47, col. 11, line 1 to col. 12, line 65).

As to claims 38, 45, Chasen teaches receiving an indication of a change to be made to

meta data (i.e. a track may be updated to Pop and Artist value may be updated to B, col. 15, lines

24-29) corresponding to a content track associated with a particular medium (i.e. a CD in the

CDROM drive, col. 16, lines 62-65, col. 14, line 66 to col. 15, lines 8-58, col. 16, line 59 to col.

17, line 47, col. 4, lines 9-37;

identifying a file associated with the content track (i.e. a file of metadata, col. 17, line

17), wherein the file stores a copied version (i.e. an audio file or an MP3 file belongs to the

metadata database, col. 9, lines 44-47) of the data in the content track (col. 16, line 59 to col. 17,

line 47, col. 4, lines 9-37, col. 15, line 7 to col. 16, line 39);

changing, based on the indication, meta data corresponding to the content track (i.e. the

Genre value of the Always track may be updated to Pop and the Artist value may be updated to

B, col. 15, lines 27-28, col. 15, line 7 to col. 16, line 39, col. 3, line 59 to col. 4, line 51;

changing, based on the indication, meta data corresponding to the file (i.e. the data

change process 216 updates the node location table reflect any location changes, col. 15, lines

52-54, col. 15, line 7 to col. 16, line 39).

As per claim 2, Chasen teaches each of the plurality of pieces of content is a track of a

compact disc (CD) (col. 9, lines 30-42, col. 3, lines 43-58, col. 8, line 54 to col. 9, line 6).

As per claim 4, Chasen teaches each of the other plurality of pieces of content is stored

on a local hard drive (col. 9, lines 43-51).

As per claim 5, Chasen teaches receiving an identification of a set of content selected

from the plurality of pieces of content (col. 2, lines 35-44, col. 8, line 28 to col. 9, line 23, Fig.

1);

obtaining table of contents information from a disc on which all of the sets of content is

stored (col. 9, line 53 to col. 10, line 19, col. 2, lines 35-44, col. 8, line 28 to col. 9, line 23, Fig.

1);

generating a disc identifier based at least in part on the table of contents information (col.

8, line 54 to col. 9, line 13, col. 5, line 52 to col. 6, line 4, col. 8, line 28 to col. 9, line 23, Fig. 1);

identifying meta data corresponding to the set of content (col. 8, line 54 to col. 9, line 13,

col. 5, line 52 to col. 6, line 4);

generating a new storage structure, corresponding to the disc, and including the identified

meta data (col. 9, lines 14-23, col. 13, lines 46-62).

As per claim 6, Chasen teaches maintaining a set of disc identifiers (col. 11, line 63 to

col. 12, line 65, col. 2, lines 34-44);

for each disc identifier, maintaining a set of corresponding children objects, wherein each

of the children objects corresponds to one of the plurality of pieces of content (col. 11, line 1 to

col. 12, line 65, col. 13, line 9 to col. 14, line 64);

for each of one or more of the individual children objects, maintaining a set of additional

objects, wherein each additional object corresponds to one of the plurality of pieces of content

(col. 11, line 1 to col. 12, line 65, col. 13, line 9 to col. 14, line 64).

As per claim 7, Chasen teaches a set of entries identifying objects, where each of the

plurality of pieces of content corresponds to an object (col. 11, line 1 to col. 12, line 65, col. 6,

lines 23-63, col. 13, line 9 to col. 14, line 64);

another set of entries identifying relationships between selected ones of the

objects identified in the set with selected others of the objects (col. 11, line 1 to col. 12, line 65,

col. 13, line 9 to col. 14, line 64);

an additional set of entries identifying meta data associated with individual objects (col.

11, line 1 to col. 12, line 65).

As per claim 10, Chasen teaches the particular piece of content on the particular piece of

media comprises a particular song on a particular compact disc (CD) (col. 8, lines 59-64, col. 16,

line 59 to col. 17, line 48).

As per claim 11, Chasen teaches the identification includes new meta data and wherein changing the meta data corresponding to the particular piece of content comprises overwriting any previous meta data corresponding to the particular piece of content with the new meta data (col. 4, lines 52-64, col. 16, lines 41-52, col. 14, line 66 to col. 15, line 58).

As per claim 12, Chasen teaches the particular piece of content comprises an audio track and wherein the other pieces of content comprise different versions of the audio track (col. 14, lines 1-47, col. 14, line 66 to col. 15, line 58, col. 16, line 59 to col. 17, line 53).

As per claim 14, Chasen teaches original meta data associated with the particular piece of content comprises meta data received from a remote server, and wherein the change to be made to the meta is data corresponding to the particular piece of content comprises new meta data received from a user (col. 6, lines 31-63, col. 4, lines 38-64).

As per claim 15, Chasen teaches a receiving another identification of a change to be made to meta data, wherein the other identification is a change to be made to one of the other pieces of content (col. 4, lines 52-64, col. 14, line 65 to col. 15, line 67, col. 16, lines 1-39, col. 6, lines 23-62);

changing, based on the other identification, the meta data corresponding to the one of the other pieces of content (col. 4, line 65 to col. 5, line 17, col. 14, line 65 to col. 15, line 67, col. 16, lines 1-39);

changing, based on the identification, the meta data corresponding to the to particular piece of content (col. 4, line 65 to col. 5, line 17, col. 14, line 65 to col. 15, line 67, col. 16, lines 1-39);

changing, based on the other identification, the meta data corresponding to the others of

the one or more other pieces of content (col. 4, line 65 to col. 5, line 17, col. 14, line 65 to col.

15, line 67, col. 16, lines 1-39).

As per claim 16, Chasen teaches maintaining an indication of a source of the change to

the meta data is corresponding to the particular piece of content (col. 14, line 65 to col. 15, line

67, col. 16, lines 1-39, col. 4, lines 9-27);

maintaining an indication of a source of the change to the meta data corresponding to

each of the one or more other pieces of content (col. 14, line 65 to col. 15, line 67, col. 16, lines

1-39, col. 4, lines 9-27);

receiving an identification of another change to be made to meta data corresponding to

the particular piece of content (col. 14, line 65 to col. 15, line 67, col. 16, lines 1-39);

checking whether the source of the change to the meta data corresponding to the

particular piece of content was a user (col. 16, line 59 to col. 17, line 67, col. 4, lines 9-27);

changing, based on the identification of the other change, meta data corresponding to the

particular piece of content if the source of the change to the meta data corresponding to the

particular piece of content was the user (col. 16, line 59 to col. 17, line 67, col. 4, lines 9-27);

checking whether the source of the change to the meta data corresponding to the one or

more other pieces of contents was the user (col. 16, line 59 to col. 17, line 67, col. 4, lines 9-27);

changing, based on the identification of the other change, meta data corresponding to the

one or more other pieces of content if the source of the change to the meta data corresponding to

the one or more other pieces of contents was the user (col. 16, line 59 to col. 17, line 67, col. 4, lines 9-27).

As per claim 18, Chasen teaches the local storage device is further configured to store both meta data associated with the plurality of pieces of content and meta data associated with the other plurality of pieces of content (col. 17, lines 48-67, col. 9, lines 7-51).

As per claim 20, Chasen teaches the plurality of instructions further cause the one or more processors to save an indication of a relationship between the plurality of tracks on the disc and corresponding to tracks associated with the other disc (col. 16, line 59 to col. 17, line 67, col. 3, line 43 to col. 4, line 27).

As per claim 22, Chasen teaches the new piece of media comprises a compact disc (CD) (col. 16, line 59 to col. 17, line 47, col. 3, line 43-58).

As per claim 23, Chasen teaches each of the plurality of pieces of content comprises a song" at col. 16, line 59 to col. 17, line 47, col. 3, line 43-58.

As per claim 24, Chasen teaches obtaining table of contents information for the new piece of media (col. 11, line 63 to col. 12, line 65, col. 8, line 54 to col. 9, line 23);

calculating, based at least in part on the table of contents information, the media identifier corresponding to the new piece of media (col. 11, line 63 to col. 12, line 65, col. 16, line 36 to col. 17, line 47).

As per claim 25, Chasen teaches saving an indication of a relationship between content

on the new piece of media and the corresponding one or more other pieces of media (col. 11, line

63 to col. 12, line 65, col. 16, line 36 to col. 17, line 47).

As per claim 28, Bergman teaches associating meta data with each child object and each

additional object (col. 11, line 63 to col. 12, line 65, col. 13, line 46 to col. 14, line 64).

As per claim 29, Bergman teaches propagating, to the set of additional objects, any

changes made to meta data corresponding to the child object (col. 11, line 63 to col. 12, line 65,

col. 14, line 65 to col. 15, line 58).

As per claim 30, Chasen teaches receiving an indication to change meta data associated

with one track on the disc (col. 16, line 59 to col. 17, line 47, col. 14, line 65 to col. 15, line 58,

col. 11, line 63 to col. 12, line 65);

altering, in response to the indication, meta data associated with the child

object corresponding to the one track (col. 16, line 59 to col. 17, line 47, col. 14, line 65 to col.

15, line 58, col. 1, lines 32-62, col. 11, line 63 to col. 12, line 65);

altering, in response to the indication, meta data associated with the additional object

corresponding to the child object corresponding to the track (col. 16, line 59 to col. 17, line 47,

col. 14, line 65 to col. 15, line 58, col. 1, lines 32-62, col. 11, line 63 to col. 12, line 65).

As per claim 31, Chasen teaches one or more disc identifiers in the set of disc identifiers

is a compact disc (CD) identifier (col. 16, line 59 to col. 17, line 47, col. 8, line 54 to col. 9, line

23).

As per claim 35, Chasen teaches each set of entries is implemented as a different table in

a database (col. 16, line 59 to col. 17, line 47, col. 8, line 54 to col. 9, line 23).

As per claim 36, Chasen teaches the set of entries also associates the objects with

identifiers (col. 16, line 59 to col. 17, line 47, col. 8, line 54 to col. 9, line 23);

As per claim 37, Chasen teaches the other set of entries identifies the relationships based

on the identifiers associated with the objects (col. 16, line 59 to col. 17, line 47, col. 8, line 54 to

col. 9, line 23).

As per claim 39, Chasen teaches the content track comprises an audio track (col. 14, line

66 to col. 15, line 58, col. 16, line 59 to col. 17, line 53).

As per claim 40, Chasen teaches the content track comprises an audio/video track (col.

14, line 66 to col. 15, line 58, col. 16, line 59 to col. 17, line 53).

As per claim 41, Chasen teaches the content track comprises a video track (col. 6, lines

7-21, col. 8, lines 7-27).

As per claim 42, Chasen teaches the particular medium comprises a particular compact

disc (CD) (col. 16, line 53 to col. 17, line 47).

As per claim 44, Chasen teaches the particular medium comprises a particular optical

disc (col. 16, line 53 to col. 17, line 47).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skilled in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.   Claims 32, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chasen et

al. (US Patent No. 6,760,721 B1), in view of Levy et al. (US Patent No. 6,564,263 B1).

As to claims 32, 43, Chasen does not specifically teach "one or more disc identifiers in

the set of disc identifiers is a digital versatile disc (DVD) identifier". However, Levy teaches

this limitation at col. 8, lines 9-19.

It would have been obvious to one of ordinary skill in the art at the time of the invention

to combine the cited references because Levy's suggestion one or more disc identifiers in the set

of disc identifiers is a digital versatile disc (DVD) identifier would have allowed Chasen's users

to easily access, manage, an edit information about meta data for both available media and user-

created media in a consistent and efficient manner.

7.   Claims 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chasen et

al. (US Patent No. 6,760,721 B1), in view of Evans et al. (US Pub. No. 2005/0047756).

As per claim 46, Chasen teaches one or more computer readable memories containing a

computer program that is executable by a processor to manage meta data corresponding to media

content by performing acts of: maintaining a set of disc identifiers (i.e. CDPlayer.ini file, at col.

17, line 6, col. 16 line 53 to col. 17 line 47)

for each disc identifier, maintaining a set of corresponding children objects (i.e. leaf

nodes represent the audio track records, col. 12, lines 25-26), wherein each of the children

objects corresponds to a track on the disc associated with the disc identifier, wherein one or more

disc identifiers in the set of disc identifiers is one of a compact disc (CD) identifier (col. 12, lines

25-65);

for each of one or more of the individual children objects, maintaining a set of additional

objects, wherein each additional object (i.e. the XXX, B nodes, see figure in col. 12) corresponds

to a file associated (i.e. root node or grouping name, col. 12, lines 1-65) with the track

corresponding to the child object (col. 12, lines 25-65);

associating, for each of the one or more individual children objects (i.e. leaf nodes

representing the audio track records, Bird, Speed nodes, col. 12, lines 25 to line 26), the set of

additional objects with the child object, wherein the set of additional objects (i.e. A node, YYY

nodes, see figure in col. 13 and col. 14) correspond respectively to a copy of an associated one of

the tracks (It should be noted that Bird track, belongs to YY object, is a copy of Bird track which

belongs to A object, wherein the YYY, A nodes correspond to the additional objects, see figure

in col. 13 and col. 14);

propagating, to the set of additional objects(non leaf node, col. 15, line 36), any changes

made to meta data corresponding to the child object (i.e. leaf node, the data change process 216

updates the node location table reflect any location changes, col. 15, lines 30-67, col. 15, line 7

to col. 16, line 39);

receiving an indication to change meta data associated with one track on the disc (i.e. a

track may be updated to Pop and Artist value may be updated to B, col. 15, lines 24-29, col. 15,

line 7 to col. 16, line 39);

altering (i.e. information on a remote Database, col. 17, line 28), in response to the

indication, meta data associated with the child object (i.e. leaf nodes represents the audio track

records) corresponding to the one track (col. 12, lines 25 to 65, col. 16, line 59 to col. 17 line 47);

altering, in response to the indication, meta data associated with the additional child

object (i.e. A, YYY nodes, see figure in col. 13 and col. 14) corresponding to the child object

corresponding to the track (i.e. the data change process 216 updates the node location table

reflect any location changes, col. 15, lines 52-54.)

Chasen does not specifically teach "one or more disc identifiers in the set of disc identifiers is one of a digital versatile disc (DVD) identifier". However, Evans teaches this limitation at [0199].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references because Evans's suggestion one or more disc identifiers in the set of disc identifiers is one of a digital versatile disc (DVD) identifier would have allowed Chasen's player applications to easily identify, catalogue and associate information with each disc.

As per claim 47, Chasen teaches associating metadata with each child object and eah additional object (col. 15, lines 8-58).

As per claim 48, Evans teaches the disc identifier is formed using 64-bit Cyclical Redundancy Checking) of portions of the DVD ([0199]).

As per claim 49, Evans teaches the disc identifier is formed using 64-bit Cyclical Redundancy Checking) of portions of the DVD comprising a firs 64 Kb of the DVD including one or more of: video_ts.ifo and vts_01_0.ifo ([0218, 0220]).

Response to Arguments

8.   Applicant's arguments filed 02/26/2005 have been fully considered but they are not persuasive.

Applicant argues that:

(a) Chasen's reference does not teach/suggest claims 1, 9, 17, 19, 21, 27, 34, 38's feature

of "ripped version, or copied version or track"; makes no mention of conversion of an audio file

from one format and medium to another format and medium or of copying a file from a CD and

converting that file to a format suitable for storage on a hard drive.

(b) Chasen and Levy Noeveidence has not been provided as to why it would be obvious

to combine or modify the teachings of these references.

(c) The Examiner is utilizing Applicant's own disclosure to construct a reason for

combining and/or modifying the teachings of the cited references.

The Examiner respectfully disagrees for the following reasons:

Per (a), first, as seen in Fig. 1, Chasen discloses "ripped version, or copied version or

track" as a GUI for playing audio file including Master Library (i.e. audio content data, col. 3,

line 29). This Master Library consists of copied audio file (MP3, col. 5, lines 7-37) or audio

track. These audio file or audio tracks are copied from the CD (col. 8, lines 59-65).

Second, as discussed, the Master Library includes MP3 audio file (col. 5, lines 7-37)

which are copied from the audio track of the CD (col. 8, lines 59-65), while the audio CD

consists of audio track with different format (audio CD file format for standard audio CD player,

col. 8, lines 59-65) from the Master Library's MP3 file format.

It is hence obvious that Chasen does mention of conversion of an audio file from one

format and medium to another format and medium or of copying a file from a CD and converting

that file to a format suitable for storage on a hard drive, and it is understood that there certainly is

a translation from the standard audio CD format to another MP3 file format stored in the Master
Library.

The claim language as presented is still read on by the Chasen reference at the cited
paragraph in the claim rejections.

Per (b), Aplicant seems to be questioning whether the Chasen and Levy references are
combinable to reasonably establish the prima facie case of obviousness under 35 USC 103.

In response to the preceding arguments, first, the examiner respectfully submits that the
references does provide all of the features recited in Applicant's claims in view of the detailed
office Action and (a).

Second, in response to applicant's argument that there is no suggestion to combine the
references, the examiner recognizes that obviousness can only be established by combining or
modifying the teachings of the prior art to produce the claimed invention where there is some
teaching, suggestion, or motivation to do so found either in the references themselves or in the
knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071,
5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir.
1992).

In this case, the instant application is related to a method of maintaining meta data for
media content objects (page 1, lines 2-3). Similarly, Chasen reference is related to a method for
maintaining audio meta data located in a database of meta data for presentation to a user in a
display (col. 1, lines 40-42). Levy, analogously, is related to a method for linking the meta data
to the audio or video files (col. 2, lines 5-13). Clearly, the applied references are all related to

the same field as methods for organizing and accessing audio meta data and audio data within an

audio playing device. These references hence are analogous and within the same aspects of

endeavor. Thus they are combinable.

Third, although Chasen teaches all the claimed limitations of claims 27 and 38, Chasen

does not specifically teach "one or more disc identifiers in the set of disc identifiers is a digital

versatile disc (DVD) identifier", Levy teach this limitation at col. 8, lines 9-19.

As discussed above, a person of an ordinary skill in the art at the time the invention was

made would recognize the advantage of Levy to add the Levy's feature of a file identifier may be

inserted, such as when a device converts a song from a format stored on package media like CD

or DVD during a ripping process would have allowed Chasen's users to easily manage metadata

so that information about content data could be retrieve quickly.

Further, as pointed out by the Examiner, only the teaching of one or more disc identifiers

in the set of disc identifiers is a digital versatile disc (DVD) identifier being taught by Levy is

used in combining with the system of Chasen to render obvious the claimed limitations.

At least for the above reason, the Chasen and Levy references are combinable to

reasonably establish the prima facie case of obviousness under 35 USC 103.

Per (c), Applicant argues that the combination of Chasen and Levy is impermissible

hindsight, and that said combination is not suggested by the references. In response to

applicants' argument that the examiner's conclusion of obviousness is based upon improper

hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense

necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account

only knowledge which was within the level of ordinary skill at the time the claimed invention

was made, and does not include knowledge gleaned only from the applicant's disclosure, such a

reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In this particular case, the judgment on obviousness only takes into account an amount of

knowledge, which was within the level of the ordinary skilled artisan at the time the invention

was made. As discussed in the preceding paragraph (b), the claimed alteration of maintaining a

set of disc identifiers is analogous to Chasen 's teaching of including a CD player.ini file,

wherein the set of disc identifiers is combined with the file identifier may be inserted during a

ripping process, such as when a device converts a song from a format stored on package media

like CD or DVD. Furthermore, the claimed limitation is even more apparent to the ordinary

skilled artisan when Levy's teachings are combined with Chasen's since Levy complements the

latter reference in having one or more disc identifiers in the set of disc identifiers is a digital

versatile disc (DVD) identifier.

Consequently, the reconstruction of the claimed invention is properly derived from the

combination of the references.

Further, Applicant seems to be suggesting that in response to applicant's arguments

against the references individually, Applicant is reminded that one cannot show nonobviousness

by attacking references individually where the rejections are based on combinations of

references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*,

800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can
normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.
        If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Jean Homere, Esq., can be reached on (571) 272-3780. The fax number to this Art
Unit is (571) 273-8300.

        Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703) 305-3900.
        Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR
system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private
PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Miranda Le
November 08, 2005